

***HOW THE  
WISCONSIN DEPARTMENT OF  
TRANSPORTATION SELLS SURPLUS  
LAND***



**WEB SITE LOCATED AT**

**[www.dot.wi.gov/business/real-estate](http://www.dot.wi.gov/business/real-estate)**

## FORWARD

When lands that the WISDOT has purchased alongside state trunk highways are no longer required for highway purposes, those lands are considered surplus. Wisconsin law makes it possible for the Department of Transportation to sell those lands to interested citizens.

This brochure tells how the Department of Transportation sells surplus lands. It is intended to acquaint you and others who may be interested in the purchase of surplus right-of-way with our statewide procedures.

If you have any questions -- either about the procedures and guidelines or about a specific parcel of surplus land -- you may obtain answers readily from the **REAL ESTATE SECTION** of the **REGIONAL OFFICE** in which the land that interests you is located. These offices and the counties they serve are listed in the back of this brochure.



Please keep this brochure for future reference.

Thank you for your interest.

## **GENERAL INFORMATION REGARDING SURPLUS LAND SALES**

A parcel of vacant land adjacent to a highway is not considered to be available for sale until it is identified as surplus and inventoried by the department. Furthermore, the Governor must declare land excess property, at the time of the sale if it is valued at \$15,000 or more. Only after these reviews are complete will the department convey a property. This protects the potential purchaser from bearing the burdens and inconveniences of a re-acquisition, and the state from the unnecessary expenditure of public funds to re-acquire the newly developed property.

Surplus parcels may be marketable to the general public or only to abutting landowners. May have little to no value depending on their characteristics.

### **CATEGORIES OF SURPLUS LAND**

Generally surplus lands administered by the Department of Transportation can be divided into three categories. These categories are:

**Marketable-General:** At the time inventoried, characteristics establish that this parcel is of potential interest to the general public.

**Marketable-Limited:** At the time inventoried, characteristics establish that this parcel is of potential interest only to abutting landowners - not to the general public. If abutting owners are not interested, the department must hold land in its inventory.

**Non-Marketable:** At the time inventoried, this parcel has no anticipated market, based upon its characteristics

## **METHODS OF DISPOSAL**

Depending upon the characteristics of the surplus parcels the Department typically uses one of the following methods of disposal. The department has full discretion in evaluating a given parcel and choosing a marketing method.

**Public Sale (Auction)** – in which the surplus land is conveyed to the highest bidder meeting the advertised terms and conditions of sale set by the state.

**Public Sale (Sealed Bids)** – A public sale is similar to auction sale except a sealed bid process is used in which the surplus land is conveyed to the highest bidder returning a sealed bid which meets terms and conditions set by the state. Terms and conditions of both public sales and auctions are stated in the bulletins relating to the parcel of land being sold.

**Private Sales** – In which surplus land is conveyed after negotiations to an interested unit of government. Non-buildable sites generally are sold to an abutting landowner at the appraised value.

Again, please contact the respective regional office to be added to their mailing list or to get additional information.

## **VALUATION OF SURPLUS LANDS**

Surplus lands are valued for sale at fair market value. This value will typically be determined through an appraisal. Depending on its marketability, it is possible on some parcels that a short format or market data report will suffice.

A qualified appraiser or hired consultant will usually prepare the appraisal. An appraisal will be the basis of any sale or the recommended minimum acceptable bid for which the land would be sold at public sale (auction or sealed bid).

## **CONVEYANCE**

The Department of Transportation conveys its surplus lands by Quit Claim Deed. The Governor must approve the sale (if valued at \$15,000 or greater) and the approval date is noted on the Quit Claim Deed.

## **DEED RESTRICTIONS**

Conveyance of surplus lands is often subject to certain restrictions included in the Quit Claim Deed. These restrictions may be included to ensure enforcement of statutes and regulations to protect the integrity of the adjacent highway, protect the health and safety of the public using the highway, preserve the visual appeal or natural beauty of the site, and protect the rights of existing utilities. Examples of restrictions are highway access restrictions, set back restrictions and utility easements.

## **SALES PREPARATION AND BUYER'S RESPONSIBILITIES**

The Department of Transportation requires that the entire purchase price be tendered before the deed to surplus property is turned over to the purchaser. Ample time ordinarily exists for interested persons to arrange financing with lending institutions. It will be the buyer's responsibility to secure title insurance and a certified survey map of the surplus parcel, if required, and to perform due diligence typical for a purchaser of property.

Carefully inspect the surplus land you are interested in purchasing. It will be sold on an "as is" basis. Failure of a prospective buyer to be fully informed as to the condition of the surplus property being offered for sale will not constitute grounds for adjustment or withdrawal of a bid or offer to purchase.

The buyer also assumes the responsibility for the payment of any legal special assessments for public improvements such as sewer, water, sidewalks, etc. that may be levied against the property. It is recommended that a prospective purchaser check with the local municipality to secure up-to-date information regarding the parcel. The Department of Transportation will record the deed as soon as possible after closing.

Secure firsthand information concerning the local real estate tax rate, utility service, zoning ordinances and building codes. A well-informed buyer will be better able to accurately judge the potential utility of the land.

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To obtain specific information or have questions answered about any potential surplus land you are interested in purchasing, please contact the Regional Office of the Department of Transportation having jurisdiction over that land. It would be very helpful if you could provide us with as much information about the land as possible (i.e., county, road, section, township, range). The Department of Transportation personnel will be happy to assist you.

Sincerely,

John Fandrich  
Surplus Lands Officer  
4802 Sheboygan Avenue  
Madison, WI 53707  
608-266-0786

## TRANSPORTATION REGIONAL OFFICES

		COUNTIES
<b>Northwest Region</b>		
Eau Claire Office	Ann Giese 718 W. Clairemont Avenue Eau Claire, WI 54701 (715) 836-2861 800-991-5285	Buffalo, Clark, Chippewa, Dunn, Eau Claire, Jackson, Pepin, Pierce, St. Croix, Taylor, Trempealeau
Superior Office	(vacant) 1701 North 4 <sup>th</sup> Street Superior, WI 54880-1068 (715) 392-7962 800-590-1868	Ashland, Barron, Bayfield, Burnett, Douglas, Polk, Rusk, Sawyer, Washburn
<b>North Central Region</b>		
Wisconsin Rapids Office	Cynthia Michalski 1681 2 <sup>nd</sup> Avenue South Wisconsin Rapids, WI 54495 (715) 421-8350 800-238-5575	Adams, Green Lake, Juneau, Marathon, Marquette, Menominee, Portage, Shawano, Waupaca, Waushara, Wood
Rhineland Office	Patt Massino 500 Hanson Lake Road Rhineland, WI 54501-0777 (715) 365-5766 888-368-3478	Florence, Forest, Iron, Langlade, Lincoln, Oneida, Price, Vilas
<b>Northeast Region</b>		
	Teresa McClung PO Box 28080 Green Bay, WI 54324-0080 (920) 492-5636 800-233-5022	Brown, Calumet, Door, Fond du Lac, Kewaunee, Manitowoc, Marinette, Oconto, Outagamie, Shawano, Sheboygan, Winnebago
<b>Southwest Region</b>		
Madison Office	Micheal Labissoniere 2101 Wright Street Madison, WI 53704 (608) 245-2673	Columbia, Dane, Dodge, Grant, Green, Iowa, Jefferson, LaFayette, Rock, Sauk
La Crosse Office	Greg Messling 3550 Mormon Coulee Road La Crosse, WI 54601 (608) 785-9035 888-368-5463	Buffalo, Crawford, Jackson, Juneau, La Crosse, Monroe, Richland, Trempealeau, Vernon
<b>Southeast Region</b>		
	Dave Kitzman PO Box 798 Waukesha, WI 53187-0798 (262) 548-5941	Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington, Waukesha